

CITY COUNCIL  
RESOLUTION NO. \_\_\_\_\_  
MID-CITY DEVELOPMENT PERMIT NO. 99-1228  
**CENTRE COURT APARTMENTS**

Attachment #8

WHEREAS, DANIEL K. LIEWER, AGNES C. DOWNING AND TODD O. DOWNING, Owners/Permittees, filed an application with the City of San Diego for a Mid-City Development Permit to demolish five residential structures containing a total of nine rental units, and construct a 34-unit apartment building with enclosed parking and associated site landscaping (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 99-1228), on portions of a 0.48 acre (21,000 sq. ft.) site and;

WHEREAS, the project site is located at 3974-3992 Centre Street in the MR-800(B) (Multi-Family Residential) Zone of the Mid-City Communities Planned District and Uptown Community Plan Area and;

WHEREAS, the project site is legally described as Lots 42-47, Block 1191, University Heights, Amended Map by G.A. D'Hemecourt, Book 8, Page 36 et seq of Lis Pendens, and;

WHEREAS, on May 31, 2000, the Hearing Officer of the City of San Diego considered and approved Mid-City Development Permit No. 99-1228 pursuant to Section 103.1501 of the Municipal Code of the City of San Diego;

WHEREAS, on June 9, 2000, the decision of the Hearing Officer to approve Mid-City Development Permit No. 99-1228 was appealed to the Planning Commission of the City of San Diego;

WHEREAS, on August 10, 2000, and September 21, 2000, the Planning Commission of the City of San Diego considered Mid-City Development Permit No. 99-1228 pursuant to Section 103.1501 of the Municipal Code of the City of San Diego, and approved a modified project consisting of 35-units;

WHEREAS, on October 2, 2000, an Appellant filed an appeal to the City Council requesting an 'extraordinary appeal' of the Planning Commission's decision, and WHEREAS on October 24, 2000, the City Council of the City of San Diego voted 7-0 to grant the extraordinary appeal and consider the appeal at a future hearing of the City Council, NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego as follows:

That the City Council adopts the following written Findings, dated November 21, 2000.

**MID-CITY COMMUNITIES PLANNED DISTRICT DEVELOPMENT PERMIT (PDO) ~  
MUNICIPAL CODE SECTION 103.1501**

**A. THE PROPOSED USE AND PROJECT DESIGN MEET THE PURPOSE AND INTENT OF THE MID-CITY COMMUNITIES PLANNED DISTRICT (SECTION 103.1501), AND THE UPTOWN COMMUNITY PLAN, AND WILL NOT ADVERSELY AFFECT THE UPTOWN COMMUNITY PLAN OR THE PROGRESS GUIDE AND GENERAL PLAN OF THE CITY OF SAN DIEGO.**

The proposed use and project design meet the purpose and intent of the Mid-City Planned District Ordinance which is to assist in implementing the goals and objectives of the adopted (Uptown) Community Plan and the Progress Guide and General Plan of the City of San Diego, and also to encourage development of quality multiple residential structures which relate in scale and design to the surrounding neighborhood, and provide an attractive street environment. Further, the MR Zones of the Mid-City Planned District are designed to provide opportunities for development compatible with the pattern of existing neighborhoods. The standards are tailored to the density of individual zones and are intended to provide a variety of attractive, functional and affordable housing types and styles.

The project is consistent with the land use element of the Uptown Community Plan which designates the site for high-density residential development. The project has been reviewed and determined to be in compliance with all applicable regulations of the MR-800(B) Zone and applicable provisions of the Municipal Code. Design features, such as trellises, balconies and tall windows, and varying wall treatments and roof lines have been effectively used to minimize the mass of this project and provide an interesting building facade. An interior courtyard is included in the project, which provides an opportunity for views into the courtyard from the street. Landscaping as noted on the approved landscape plan will help provide an attractive street environment for the neighborhood.

The proposed project is compatible with the planned land use for the neighborhood. The community plan designates this area for high-density residential development (44-73 dwelling units per acre) due to its proximity to transit corridors along University Avenue and Park Boulevard. The project proposes 35 units on a 0.48-acre site, in conformance with the plan designation. The project also meets an important goal of both the Uptown Community Plan and the Mid-City Planned District by providing an enclosed parking garage, which reduces the number of cars parking on the street.

**B. THE PROPOSED DEVELOPMENT WILL BE COMPATIBLE WITH EXISTING AND PLANNED LAND USE ON ADJOINING PROPERTIES AND WILL NOT CONSTITUTE A DISRUPTIVE ELEMENT TO THE NEIGHBORHOOD AND COMMUNITY. IN ADDITION, ARCHITECTURAL HARMONY WITH THE**

**SURROUNDING NEIGHBORHOOD AND COMMUNITY WILL BE ACHIEVED AS FAR AS PRACTICABLE.**

The proposed development will be compatible with existing and planned land uses on adjoining properties and will not constitute a disruptive element to the neighborhood and community. The neighborhood includes single-family development and multi-family development of varying densities. Commercial development exists to the south and west along University Avenue and Park Boulevard. The proposal is to develop the property to the intensity and scale of the underlying zone. The structures in the surrounding neighborhood pre-date the application of the existing zoning and are not developed to the underlying zone intensity or scale. However, the project proposes an intensity and scale that reflects the planned future development for this area. The surrounding neighborhood is eclectic. Architectural harmony with the surrounding neighborhood has been achieved as far as practicable. The applicant has redesigned the proposal to address several architectural details and overall appearance issues raised by the community planning group and staff pertaining to bulk, mass, and scale. The applicant has redesigned the project to comply with the 9-foot setback for the third and fourth floors, which the PDO requires.

A deviation is acceptable to allow a maximum dimension of 170 feet where 120 feet would otherwise be permitted in order to allow an interior courtyard to be included in the project, with views into the courtyard available from the street. Other design features, such as trellises, balconies and tall windows, and varying wall treatments and roof lines have been effectively used to minimize the mass of this project and provide an interesting building facade.

**C. THE PROPOSED USE, BECAUSE OF CONDITIONS THAT HAVE BEEN APPLIED TO IT, WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE AREA, AND WILL NOT ADVERSELY AFFECT OTHER PROPERTY IN THE VICINITY.**

The project conforms to the Uptown Community Plan and the regulations of the zoning designation for the site. Based on conditions included in the permit, adverse impacts to the health, safety and general welfare of persons residing or working in the area are not anticipated, nor are adverse impacts to other properties in the vicinity. Adequate parking and landscaping will be provided.

**D. THE PROPOSED USE WILL COMPLY WITH THE RELEVANT REGULATIONS IN THE SAN DIEGO MUNICIPAL CODE.**

The project has been reviewed and determined to be in compliance with the relevant provisions of the Municipal Code in effect for this site.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the City Council, Mid-City Development Permit No. 99-1228 is hereby GRANTED by the City Council to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 99-1228, a copy of which is attached hereto and made a part hereof.

Adopted on: November 21, 2000

By a Vote of: